The Confucian Filial Obligation and Care for Aged Parents

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ABSTRACT

Some moral philosophers in the West (e.g., Norman Daniels and Jane English) hold that adult children have no more moral obligation to support their elderly parents than does any other person in the society, no matter how much sacrifice their parents made for them or what misery their parents are presently suffering. This is because children do not ask to be brought into the world or to be adopted. Therefore, there is a "basic asymmetry between parental and the filial obligations." I argue against the Daniels/English thesis by employing the traditional Confucian view of the nature of filial obligation. On the basis of a distinction between 'moral duty' and 'moral responsibility' and the Confucian concept of justice, I argue that the filial obligation of adult children to care respectfully for their aged parents is not necessarily self-imposed. I conclude that due to the naturalistic character of the family, the nature of our familial obligations (such as parental caring for young children and adult children's respectful caring for aged parents) cannot be consensual, contractarian and voluntarist, but instead existential, communal and historical.

Introduction

Some moral philosophers in the West hold that adult children do not have any more moral obligation to support their elderly parents than does any other person in the society, no matter how much sacrifice their parents made for them in the past or what kinds of misery their parents are presently suffering. This is so, they claim, because children do not ask to be brought into this world or to be adopted. Thus, the traditional filial obligation of supporting and taking care of the aged is left as either the private responsibility of the elderly themselves or as a societal burden on the public. [(1)] For example, Norman Daniels argues that there is a "basic asymmetry between parental and the filial obligations" (Daniels, 1988, p.29). The parental obligation of caring for their young children, says Daniels, is a "self-imposed" duty, while the so-called children's obligation of caring for their aged parents is "non-self-imposed" and thus cannot be morally required. [(2)] In her famous essay, "What Do Grown Children Owe Their Parents," Jane English also claims that a favor done without it being requested or a voluntary sacrifice of one for another can only create "a friendly gesture" (Sommers & Sommers, 1993, pp. 758-765). It incurs neither an "owing" nor a moral obligation to reciprocate. Accordingly, "a filial obligation would only arise," says English, "from whatever love (s)he [the adult child] may still feel for them [her parents]." [(3)] The moral obligation stops whenever the friendship relation ends. Because we cannot always assume a friendship relation exists between a parent and his/her children, filial obligation is not a genuine moral obligation at all.

In what follows I shall argue against the Daniels/English thesis in light of the traditional Eastern Confucian view of the nature of filial obligation. I shall make a distinction between "moral duty" and "moral responsibility" and argue that adult children's filial obligation of taking care of and being respectful to their aged parents should not be understood as a moral responsibility but as a moral duty, which is, by its nature, not necessarily self-imposed. That is to say, it is not consensual, contractarian, and voluntarist but existential, communal, and historical.

I. Consent and Moral Obligation

We may find a basic thesis that underline the Daniels/English rejection of adult children's moral obligation of taking respectful care for their aged parents. It claims that filial obligation, if it is to be a moral obligation, should be based on the voluntary consent of all moral agents involved. [4] Obviously, the thesis expresses a meta-ethical principle which underlies not only Daniels/English argument but also some major accounts of the nature of moral obligation in the modern West. I call it the "principle of intentional consent." "Consent" is required because a moral action ought to be approved of by all the persons involved in the action. It is "intentional" because an agreement or an approval ought to be reached voluntarily and without any kind of outside coercion or deceit. Very clearly, this principle gets its power from Kant's concept of a person as potentially an autonomous, rational, and free agent. [5] That is to say, intentional consent is simply an exercise of one's autonomy and rationality. Therefore, as a free, rational, and autonomous moral agent, I am morally responsible only for the consequences of those actions which I have committed voluntarily, without any coercion and deceit. Otherwise I will not see myself behaving as a free and autonomous being. Living in modern society, it seems that few people can really deny the importance of the principle of intentional consent and that of the concept of autonomy in our consideration of the nature of morality. However, is it the absolute and exclusive grounding of morality? That is to ask, is there any limitation of that principle in our moral practice, especially when we consider filial morality in dealing with the relationship between adult children and their aged parents?

Let me try to answer the question by looking at the following example. When Fred, a strong man and a good swimmer, [6] went by a swimming pool on his way home, he found a three year old child Sheila was drowning in a swimming pool with another young child John crying nearby. Does Fred have any moral obligation to jump into the pool to save Sheila? Most of us, I believe, would say "yes" according to our common moral sense. But what interests us in this example is not whether Fred ought to save Sheila but why Fred ought to try to save her. Obviously, Fred neither made a promise nor gave consent to a request from Sheila's parents or Sheila herself to save Sheila when she is in danger. However, not giving consent does not sufficiently exempt Fred from his moral obligation to save Sheila in such a situation. To me, what makes Fred morally obligated in this case is the existential or factical "being" of Fred, Sheila, and John rather than Fred's intentional consent that is crucial in Fred's moral obligation to try to save Sheila. [7] Similar examples in our contemporary social and moral life can also be found in the cases such as the moral obligation of the present generation of human beings to protect the ecological environment and to preserve some of the natural resources for future generations, a citizen's obligation to defend her home country, a patient's obligation not to have physical contact with healthy persons if she knows that she has an infectious disease, etc. All of these demonstrate that at least some of our commonly and ordinarily accepted and practiced moral obligations can be justified without being preconditioned by the mutual consent of the moral agents

involved in the action. That is to say, they are, pace Daniels, "asymmetrical" rather than "symmetrical."

In order to make the point clearer, I would like to call an attention to the nature of our understanding of "ought" or "moral obligation." When we say "A ought (not) to do X," or "A is obligated (not) to do X," it seems to me that we often have a confusion between two types of "ought/obligation." [(8)] One type of "ought/obligation" is caused solely by the intentional consent of competent moral agents involved in the action, and I call this moral *responsibility*. [(9)] That is to say, a competent moral agent should be morally responsible for the consequences caused by her consensual action. Compared with moral responsibility, *moral duty* is another type of "ought/obligation." It does not necessarily depend on the competent moral agent's intentional consent. It is rather determined mainly by what kind of existential situation a moral agent is in and what kind of social role she plays. For example, a normal and healthy person is obligated to yield to a handicapped person because the latter is handicapped. Similarly, a hostess is obligated to show her hospitality to her guests while a stranger is not.

Someone may argue that although many of our moral obligations are determined by different existential situations and social roles we play, we do often consent to be in those situations and to play those social roles in the first place. My response to this argument is, first, we do not always choose our existential situations or social roles. Many times we are thrown into a situation and many social roles are imposed on us without our previous consent. Second, although many times a moral agent does theoretically have an option to play or not to play a specific social role, such an option may not always be practical and therefore not real. Third, consenting to do something and being obligated to do something are not always the same. Therefore, in many cases, I consent to do something because I ought to do it, rather than it being the case that I ought to do it because I have consented to do it.

Thus understood, moral responsibility and moral duty are two types of moral obligation. They are different and the distinction between them should not be confused. The difference, as I have argued above, consists in that the former is caused exclusively by the intentional consent of the moral agent while the latter is not. However, they are not completely irrelevant to each other. Moral responsibility may be seen as a special type of moral duty. That is to say, moral responsibility is a particular moral duty of a moral agent when she behaves as an autonomous being or when she practices her autonomy in her consensual actions. However, a human being as a moral agent is not only an individual autonomous being. A person is also a social and communal being, which imposes on her duties for caring for others as well as for her surrounding ecological environment, and a rational being, which makes her obligated to calculate the consequential implications of her consensual action before she consents to it. Furthermore she is also a historical and cultural being, a concrete and situational being, etc. All of these essential features of a human being have created or revealed different types of moral duties that human beings as moral agents have. Therefore, an appropriate moral evaluation or moral judgement of a person's action should

be based on or determined by weighing these moral duties of the person in her existential situation against one another.

In light of the distinction between the two kinds of moral obligation, i.e., moral responsibility and moral duty, it becomes clear that the filial obligation of adult children to take care of their aged parents belongs to the category of moral duty, which, by its nature, is existential rather than consensual. It is so because the family, which defines the adult children's filial obligation to their aged parents, is basically a natural community rather than a social contractarian community. As long as the natural family is still one of the basic forms of our social and communal life, the parental and filial obligations between parents and children will exist. Therefore, being a son or a daughter of one's parents, one is obligated or has a duty to respect them as parents and to take care of them if they necessary, no matter whether one chose to be the son or the daughter of one's parents.

II. A Confucian Concept of Justice

We may see the existential nature of adult children's filial duty to take respectful care of their aged parents much clearer in the Eastern Confucian moral tradition. It is well known that Confucianism in general can be seen as a theoretical expression and a systematic justification of traditional family values in ancient China (Fung, 1948, p.21). *Xiao* (filial piety), which primarily defines children's moral duty to their parents, has been understood in the 2500 year long Confucian tradition as the "root" of morality (*Analects*, 1:2). [(10)] It is, in Max Weber's words, "the absolutely primary virtue" which "in case of conflict, ... preceded all other virtues" in China (Weber, 1951, p.157).

Confucius' emphasis on *"xiao,"* as adult children's taking respectful care for their aged parents, had a tremendous influence in shaping the Chinese understanding of the nature of morality. On the one hand, taking good care of one's parents is often seen as a cardinal virtue of a moral person *(jun zi)* and constitutive of being a good citizen. On the other hand, that all the parents and the elderly received good care from their children in the last years of their lives is taken in Chinese tradition as proof of a good society and a good government. Because of this, Mencius, the second important figure in Confucianism, said that in a good society "a son and a younger brother should be taught their obligation of taking good care of their aged parents. The people with grey hair should not be seen carrying burdens on the street" (Mencius, 1A:7). Otherwise it would be a matter of shame for the children of those elderly persons as well as for the government.

This Confucian tradition of seeing one's taking good care of one's aged parents as a moral duty has been not only reflected in the Chinese moral life but also in the practice of the Chinese laws from the beginning. For example, according to the Chinese Marriage Law, adult children's moral duty of taking respectful care of their aged parents is defined as:

> Children have an obligation to support and to assist their parents..... When children fail in such duty, parents who cannot work or have difficulty with their living have a right to demand alimony from their children. [(11)]

Obviously, taking respectful care of one's aged parents is one of the most important moral duties of an adult child in Confucian China as well as in all East Asian societies. However, when we compare the arguments used by the western liberals and those used by Confucians on this issue, we may find that their arguments are grounded in different concept of justice.

The Confucian concept of justice is called*"yi,"* which is also translated as righteousness. Traditionally, Confucians defined the meaning of *"yi"* from the interactive relations between my "personal self" *(wo)* and my surrounding social, historical, and natural communities (qun). For example, Dong Zhong Shu (c.179 - c.104 B.C.E.), the most famous Confucian scholar in the Han Dynasty, defined *"yi"* as follows:

> Yi means yi* (appropriation) to one's own person. Only once one is appropriate to his own person can this be called yi (righteousness). Thus, the expression yi combines the notions of "appropriateness" (yi*) and "personal self" (wo) in one term. If we hold on to this insight, yi as an expression refers to personal self. Thus it is said that to realize yi in one's actions is called attaining it in oneself (zi de); to neglect yi in one's actions is called self-negligence (zi shi). [(12)]

According to Dong and other Confucians during the time, yi should be defined in term of its homophone, *yi**, which means "right, proper, appropriate, suitable." In both classical and modern Chinese, the word *yi** refers often to one's making oneself over to become appropriate to one's surrounding environments, e.g., one's familial, social, and natural communities. It refers also to making one's surrounding environments appropriate for one's self-attainment or self-accomplishment. Therefore, this Confucian interpretation of yi in terms of *yi** indicates an interplay or a dialectical interaction between yi and yi*, between the personal self and its contextual and communal environments out of which an individual person reaches her identity, realization, and accomplishment. (13) Based on this conception of yi as justice and righteousness and as the interplay between individual self and her surrounding communities, Confucians think that fulfilling one's obligations, such as being a lovely parent and taking good care of his/her young children, and/or being a filial son/daughter by taking respectful care of his/her parents when the parents are old, is simply part of the way of self-realization and of self-accomplishment. Failure to do this will be called "bu yi" (non-righteousness). Our natural and innermost moral feelings of *"xiu"* (shame) and *"wu"* (dislike), according to Confucians, are simply signals of both internal and social disapproval of these non-righteous actions, and thus marks the beginning of the development of righteousness and justice. (14) On the other hand, the interplay between *yi* and *yi** not only asks a yielding or a sacrifice of my personal self to my environmental communities in the way of appropriation, it also affirms my uniqueness in such an appropriation. That not only includes my duties but also my privileges and rights, which are due to my specific situation in my surrounding communities. Thus understood, the Confucian concepts of social justice and righteousness are not against the idea of equality and fairness among the members of the society. It is rather an affirmation of it if we consider it within a larger social and historical context.

Some Westerners claimed that adult children's moral duty to take respectful care of their aged parents may be seen as an unfair request for the younger generation to make sacrifices for the well-being of the older generation (Daniels, 1988, pp.4-6). But if we, as a Confucian often does, take human life as an organic and dynamic process of birth, growing, flourishing, declining and dying, then the rationale behind the Confucian concept of filial obligation will become clearer. Nothing seems more natural and fair than, having received care from our parents when we were young, reciprocating this care by taking care of our parents when they are old. (15) Therefore, the charge of unfairness and inequality of Confucian filiality can only make sense on the assumption that the individuals in our social and communal life must be seen as undifferentiated, colorless, and isolated social atoms. But for a Confucian this assumption itself is questionable and unaccepted.

III. Conclusion: Xiao as a Virtue for Today

As we know, the family was a basic social, economic and cultural unit of the society in China. It played a fundamental role in regulating and stabilizing Chinese social and political life in the past, and it continues to play an important role today. Family is ideally the first school of virtue, and parents are often the first teachers of their children. The values we learn from our family life, according to Confucians, will also make possible a good society. That is to say, we first learn how to deal with other people in society from watching our parents deal with each other, with our grandparents, and with us. (16) Therefore, it is very hard to imagine that a person who is devoid of caring, or unwilling to care for, her own family members can be a good citizen who will care for other people in the society. This is why in the Confucian tradition *"xiao"* (filial piety) was understood as the "root" of humanity and morality. (17)

It should be noted here that *"xiao"* was often used to justify and support the totalitarian and oppressive structure of the traditional patrilinear family and society. It is no doubt a fact that xiao played a very conservative political role in the past. However, when scholars point out that there was a historical connection between the kinship of the patrilinear family and the kingship of the totalitarian state (e.g., Schwartz, 1985, pp. 67-75, Roetz , 1993), they often neglect the fact that the care/love relation within a family is more natural and more primordial, and that the care/love relation between parents and children may not necessarily include patrilinear power and oppression. In today's society, for example, old age is not always associated with totalitarian political power. In many cases, especially in the case of health care for the elderly, old people are often disadvantaged and powerless. Considering this fact, a Confucian would argue that advocating xiao as taking respectful care of parents and adopting it as a moral duty of adult children will not only increase the happiness and security of our aged parents in their later years, but will also make members in our society care more for each other, especially for those who are disadvantaged.

Taking care of the aged generation has always been a social problem for civilized societies. The question is therefore not whether the elderly should be taken care of, but who should take care of them? There are few doubts that one has a moral duty to take care of oneself. But if a person has lost the ability to take care of herself, either due to old age, or to disease associated with old age, who, if anyone, has a moral obligation to take care of her? If Daniels and English are right in saying that adult children do not have any more of a moral obligation to take care of their aged parents than any stranger on the street, or that such an obligation only has a voluntary basis, then most likely either the burden of care would be on the whole society or the elderly who are disadvantaged would suffer. If letting the elderly suffer is immoral, then placing the burden of caring for the elderly on the whole society (through the government) would seem to be the only option.

However, there are at least two further questions here. First, should the society have that burden? Second, can the society or the government really provide adequate care for the elderly? If I, as a son, do not have a moral duty to take care of my parents, why should I, as a stranger, have a moral

duty to take care of anyone else' parents? Is the moral duty of helping a stranger based on my voluntary free will or on my existential status as a human being? If my existential status as a fellow human being imposes on me such a moral duty, why not my existential status as the son of my parents? On the other hand, the warning signals continually coming from the government-run Medicare system, as well as the Social Security system in the Unite States indicate that the society may not be able to bear the burden anymore without threatening the bankruptcy of the whole government. From a Confucian point of view, at least part of the problem is caused by the trend of deterioration of the family or individualization of the society in our modern life. The family, as a natural institution, should play a mediating role between individuals and society. That is to say, Confucians will deny neither the existential moral duty of the elderly to care for themselves, nor that of members in the society to care for the elderly. What a Confucian wants to suggest is the addition of the familial duty fulfilled by the adult children. All three kinds of moral duties, i.e., the individual, the social, and the familial, need to work together in order to strive towards the Confucian social ideal of *"da tong"* (the Great Harmony) where

> ..... [t]he elders having a happy ending, the youths having enough businesses to do, the young children having been well nurtured, and all the old men without wives, old women without husbands, old people without children, young children without parents having been taken good care of. (18)

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Notes

(1) For example, Norman Daniels told us that "In 1983 we spent ... $217 billion or $7,700 per elderly person" (Daniels, 1988, p.5).

(2) In his *"Obedience and Illusion,"* Michael Slote expresses a similar idea. According to Slote, it is "difficult to believe that one has a duty to show gratitude for benefits one has not requested" in O'Neill & Ruddick (1979), p.320.

(3) See Jane English, *"What Do Grown Children Owe Their Parents?"* in Sommers and Sommers (1993), p.763.

(4) For example, Daniels says:"Children did not ask to be brought into existence" (Daniels, p.29), and calls the traditional filial relation "not self-imposed." Because of that, "we remain without compelling foundations for filial obligations, ..." (Daniels, p.34). English, though criticizing the traditional understanding of the nature of filial relation as being "reciprocal," defines filial relation as a relation of friendship. According to her, a filial relation without a friendship, which assumes mutual consent, does not endow any moral obligation. In English's words, "The relationship between children and their parents should be one of friendship characterized by mutuality rather than one of reciprocal favors" (Sommers and Sommers, p.762), and "After a friendship ends, the duties of friendship end" (Sommers and Sommers, p.761).

(5) This idea can be traced back to Aristotle. According to Aristotle, a moral praise or blame should be based on whether an individual moral agent behaves "voluntarily or "involuntarily." "Being voluntary," Aristotle held, means that (1) an individual is internally motivated rather than externally compelled to act; (2) the action may not be not a result of ignorance or deceit. See Aristotle, 1110a5 - 1114b15.

(6) Ironically, a similar example of a good swimmer can be also found in Daniels. However, Daniels calls it "supererogatory" rather than "obligatory" (Daniels, p.33).

(7) The words "existential" and "factical" should be distinguished from those of "intentional" and "factual." I use them in Heidegger's sense, which is based on his theory of Dasein as "being-in-the-world-with-others." As for Heidegger's concepts of "existence" and "facticity," see Heidegger, (1962), pp.78-86; 235-241.

(8) In his *A Theory of Justice*, John Rawls makes a careful distinction between "obligation" and "natural duty." According to Rawls, both "obligations" and "natural duties" are moral requirements. Their main distinction consists in the following three aspects: (1) obligations "arise as a result of our voluntary acts" while natural duties "apply to us without regard to our voluntary acts"; (2) "the content of obligations is always defined by an institution or practice the rules of which specify what it is that one is required to do" while natural duties "have no necessary connection with institutions or social practices; their content is not, in general, defined by the rules of these arrangements"; (3) "obligations are normally owed to definite individuals, namely, those who are cooperating together to maintain the arrangement in question" while natural duties "hold between persons irrespective of their institutional relationships; they obtain between all as equal moral persons" (Rawls, p.113; p.115). On the one hand, I agree with Rawls in saying that one moral requirement arises from voluntary acts while the other does not, although I don't want to use the word "obligation" exclusively for those moral requirements based on voluntary acts. In many cases, as we know, "obligation" and "duty" mean the same in our ordinary use of English. For example, we see this in sentences such as "Citizens have an obligation to observe the laws of their country;" or "Mentally gifted people are under an obligation to develop their capacities." Therefore, I use "moral responsibility" for those moral requirements cause by voluntary acts, "moral duty" for those which are not connected with the voluntary acts, and "moral obligation" for both. On the other hand, I don't agree with Rawls when he says that the content of duties has "no necessary connection with institutions or social practice." Maybe he thinks that all social institutions, by their nature, have a voluntary or contractarian grounds. But we know that not all institutions or social practices, e.g., the family, are based on contractarian grounding. They are naturalistic social institutions. Because of that, at least some of our moral duties arise from the status we have or roles we play in a naturalistic social institution. It should also be noticed that Norman Daniels, following Rawls, mentions the distinction between the "natural duties" and the "moral obligations" (Daniels, p.29). However, it seems to me that

he then quickly claims without a justification that a parental duty to children and an adult child's duty to parents belong to the category of "moral obligation," or in my term, "moral responsibility," rather than to that of "moral duty."

(9) In his *Punishment and Responsibility*, H.L.A. Hart distinguishes four senses of responsibility, which are (1) Role-Responsibility; (2) Causal-Responsibility; (3) Liability-Responsibility; and (4) Capacity-Responsibility. However, Hart's discussion of the moral sense of all the four types of responsibility and his distinction between legal responsibility and moral responsibility in his discussion indicate that the intentional and voluntary consent of individuals should be the sole moral basis of all the four types of responsibility. See Hart, (1968), pp.210-230.

(10) As for English translations of the Analects, see Lau, D.C. (1979) or Waley, A. (1989).

(11) The Chinese Marriage Law, Section 3, Article 15. I use the translation of Li Chenyang.

(12) See Dong Zhong Shu, *Chun Qiu Fan Lu*, 8/8b; I use Hall and Ames' translation here. See Hall and Ames (1987), p.92.

(13) My understanding of the dialectical interplay between "yi" and "yi*" benefits from Hall and Ames' insightful interpretation. This interplay, according to Hall and Ames, can be seen in that "whereas yi denotes appropriateness to one's own person, yi* refers to appropriateness to one's context. Yi is the active and contributory integrating of self with circumstances, where the self originates unique activity and construes itself on its own term in a naval and creative way. ... The character yi, on the other hand, denotes the yielding or giving up of oneself and 'appropriating' meaning from the context or circumstances" (See Hall & Ames, 1987, p.98 and pp.348-349, no.51).

(14) For example, Mencius said,"The felling of shame and dislike is the beginning of righteousness" (*Mencius*, 3A:5).

(15) Here it is nothing to do with "owing" or "paying debts," as we found in Jane English (Sommers and Sommers, 1993). According to Confucians, life should be seen as a flux. My parents may be seen as my life in the past and my children my life in the future. Just like it would be ridiculous to say that my hands, in providing food to my stomach, are "paying debts" to the latter because it helped to keep the hands alive, it is misleading to talk about "owing debts" between parents and children. Therefore, the difference between English and a Confucian on filial obligation does not consist in the "owing/non-owing" relation, but in that the former understands the filial obligation as a causal relation while the latter understands it as an existential relation.

(16) There is an ancient Chinese story which is very popular among Chinese. Once upon a time, there was a family of a grandfather, a father, and a son. The father did not take a good care of the Grandpa. When the Grandpa died, the father was so stingy that he took the Grandpa's dead body out with a broken basket. When the young boy saw it, he told his father:" Dad, please don't forget to bring the basket back. It is still useful." The stingy father was very happy to hear what his little son said. Then he asked his son what he would use it for. His son answered:"I will re-use it when you die."

(17) For example, we can read in the Analects 1:2 that "Few of those who are filial sons and respectful brothers will show disrespect to superiors, and there has never been a man who is not disrespectful to superiors and yet creates disorder. A superior man is devoted to the fundamentals (the root). When the root is firmly established, the dao will grow. Filial piety and brotherly respect are the root of humanity *(ren)*.

(18) *Da Tong /Li Yun; also see Mencius*, 1B:5